

FEDERAL DEPOSIT INSURANCE CORPORATION

WASHINGTON, D.C.

In the Matter of)

SCOTT A. MOSS,)
individually, and as an institution-)
affiliated party of)

FIRST STATE BANK)
SHELTON, NEBRASKA)

(Insured State Nonmember Bank))

**ORDER TO PAY
CIVIL MONEY PENALTY**

FDIC-08-267k

SCOTT A. MOSS ("Respondent") and a representative of the Legal Division of the Federal Deposit Insurance Corporation ("FDIC") executed a Stipulation and Consent to the Issuance of an Order to Pay ("CONSENT AGREEMENT") dated September 9, 2009, whereby Respondent, solely for the purpose of this proceeding and without admitting or denying any unsafe or unsound banking practice and/or breach of fiduciary duty for which civil money penalties may be assessed, consented and agreed to pay a civil money penalty in the amount specified below to the Treasury of the United States.

After taking into account the CONSENT AGREEMENT, the appropriateness of the penalty with respect to the financial resources and good faith of Respondent, the gravity of the violation by Respondent, the history of previous violations by Respondent, and such other matters as justice may require, the FDIC accepts the CONSENT AGREEMENT and issues the following:

